

REMARKS

The specification has been amended to set forth the status of parent application Serial No. 903,438, filed May 8, 1978, now abandoned.

Claims 1-29, 40-63, 65-66, 68, 72, 74 and 75 are present in the captioned application.

Claim 30 has been replaced by new claim 74. New claim 74 eliminates the subject matter which was prosecuted in grandparent application Serial No. 714,170, filed August 13, 1976, now U.S. Patent No. 4,105,681 and sister application Serial No. 37,270, filed May 9, 1979 (division of application Serial No. 903,438). Furthermore, claim 74 sets forth that the alkoxy moiety of the alkoxycarbonyl R₆ group may be unsubstituted or substituted with a member selected from the group consisting of alkylamino, morpholino, piperidyl, pyridyl, alkyl substituted piperidyl or alkyl substituted pyridyl. Support is found in original claim 46. See In re Anderson 176 U.S.P.Q. 331 (C.C.P.A. 1973).

The compounds of new claim 75 are encompassed within the genus of claim 74. Claim 75 affords applicants' an intermediate level of protection by particularly pointing out and distinctly claiming that which applicants regard as a subgeneric portion of their invention. M.P.E.P. 706.03(y).

Claims 46, 57, 63, 65, 68 and 72 have been amended to eliminate the subject matter prosecuted in the above parent applications as well as to more particularly point out and distinctly claim applicants' invention.

The Examiner's attention is directed to the following references:

- 1) U.S. Patent No. 3,781,314
- 2) U.S. Patent No. 3,845,089
- 3) Bharucha et al., J. Org. Chem. Soc., pp. 1571-72 (1953)
- 4) Lowe et al., J. Org. Chem. Soc., pp. 1855-1861 (1958)

Copies of the references are enclosed. It is requested that the references be made of record.

Bharucha et al. disclose 9-(o-tolyl or 2,4,6-trimethylphenyl)-nonatetraenoic acids or methyl esters. The reference, however, does not disclose applicants' 9-(4-methoxyphenyl)-nonatetraenes.

Lowe et al. disclose 9-(2,3,6-trimethylphenyl)-nonatetraenoic acids or methyl esters. The reference, however, does not disclose applicants' 9-(4-methoxyphenyl)-nonatetraenes.

U.S. Patent No. 3,781,314 concerns polyene compounds having a 5,5-dimethylcyclopent-1-ene ring. The reference, however, does not disclose applicants' substituted phenyl nonatetraene compounds.

U.S. Patent No. 3,845,089 concerns phenyl-heptadienoates which are useful for the control of insects. The reference, however, does not disclose applicants' nonatetraenes useful as antitumor agents.

Examination of the claim of record is earnestly solicited.

The Examiner is hereby authorized to call the undersigned attorney of record "collect" on any matter connected with this application. The telephone number is (201) 235-3656. In the absence of the undersigned attorney of record, the call will be accepted by another attorney empowered in this application.

Respectfully submitted,



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GWJ:ms
Enclosures

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